

**IN THE MUNICIPAL COURT OF THE STATE OF OREGON
FOR THE COUNTY OF YAMHILL CITY OF McMinnville**

CITY OF McMinnville

v.

CASE NO: _____

ORDER RE: DUII DIVERSION

DEFENDANT

The alleged DUII occurred on (date) _____

Based on Defendant's *DUII Diversion Petition and Agreement*, **THE COURT ORDERS:**

The petition for diversion is

☐ **Denied**

☒ **Allowed.** The court withholds entry of a judgment of conviction pending completion or termination of the diversion agreement and orders that:

1) Defendant is ordered to comply with all terms in the *Petition and Agreement*. Assessment Evaluator information: **Evaluation & Counseling Resources**, 1900 NE Hwy 99W Suite E, McMinnville OR 97128 (503) 910-9409 Fax (503) 857-0773 Email – ecleticxyz@gmail.com

2) The diversion period is 1 year beginning (date) _____ and ending (date) _____
☐ Defendant must file a motion to dismiss after the diversion period ends in order for the court to dismiss the charge (if this option is not checked the defendant does not need file a motion to dismiss)

3) Defendant must pay a fee of **\$490.00** to the court for the diversion as required by statute unless waived or deferred. Payment is due ☐ **immediately** or ☐ **per payment schedule:**

\$ _____ / month due by the _____ day of each month beginning _____

☐ other: _____

4) ☐ Defendant must attend a victim impact panel approved by this court ☐ **and** must pay a participation fee to that program **Victim Impact Panel Date:** _____

5) ☐ Defendant must pay court-appointed attorney fees
☐ in an amount of \$ _____ on a schedule determined by the court. The court finds that the defendant has the ability to pay court-appointed attorney fees.
☐ as ordered in a separate limited judgment or order

6) ☐ Defendant must install and use an **ignition interlock device (IID)** in any vehicle operated by the Defendant during the period of the agreement when the Defendant has driving privileges *

☐ Defendant need not install an IID because Defendant:

☐ meets the requirements for medical exemption under Oregon

Department of Transportation rules and is exempt from the IID requirement

☐ submitted to a blood, breath, or urine test that showed no cannabis, inhalants, or controlled substances, and a BAC below 0.08%

7) ☐ Defendant must be booked and fingerprinted

8) Restitution/Other: _____

Judge Signature:

Judge

Date

*if Defendant is required to operate an employer-owned motor vehicle, an IID need not be installed if Defendant notifies employer of the IID requirement and has written proof of the notification